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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,355	01/18/2002	Gameelah Ghafoor	9457.00	9272

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PAUL W. MARTIN
NCR CORPORATION, LAW DEPT.
3097 SATELLITE BLVD., 2nd FLOOR
DULUTH, GA 30096

EXAMINER

CHENCINSKI, SIEGFRIED E

ART UNIT	PAPER NUMBER
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3695

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03/23/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/051,355	Applicant(s) GHAFOOR ET AL.	
	Examiner SIEGFRIED E. CHENCINSKI	Art Unit 3695	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 22 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Examiner's Note

Prosecution of this application after a decision by the Board of Patent Appeals and Interferences is reopened. An updated search of relevant prior art identified intervening art published after the submission of the Examiner's Answer;. This art is considered relevant to a determination of patentability and is applied in the rejections below.

The Examiner suggests that Applicant call for an interview before responding to this office action. Such an interview may be useful in understanding of Applicant's inventive concept(s) and its presentation in amended claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 4, 6, 8, 9, 11, 12, 14-16 and 18-19 are rejected under 35

U.S.C. 102(e) as being anticipated by US Patent 7,542,944, *Drummond et al.*

As to claim 1, *Drummond* discloses the invention as claimed, including in an Automated Teller Machine, ATM (Fig. 13, ele. 540), elements of:

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a) a user interface including means for identifying a user (Col. 20, line 55 to Col. 21, line 7);

b) means for obtaining contact information which enables the ATM to contact a communications device associated with the user (Fig. 13, ele. 550, 542; Col. 17, line 48 to Col. 18, line 15, particularly Col. 17, lines 48-50. See also Fig. 22 and Col. 22, lines 3-35, particularly lines 18-21 and 25-27); and

c) contact means for establishing a link with the communications device to allow a transaction to be executed using the communications device (Fig.13, ele. 550; Col. 17, lines 57-60; Col. 18, lines 10-15).

As to claim 3, *Drummond* discloses direction connection between the communications device and contact means at Fig. 13, direct link between elements 550 and 542.

As to claim 4, *Drummond* discloses a link between contact means, remote transceiver and communications device at Figs. 13 (path 542 → 550 → 548), Fig 16 and Col. 18, lines 40-46.

As to claim 6, *Drummond* discloses the invention as claimed, including in an Automated Teller Machine, ATM (Fig. 13, ele. 540), elements of:

An automated teller machine (ATM) comprising:

a) a cash dispenser for dispensing cash (Fig. 13, ele. 541);

b) means for obtaining contact information which enables the ATM to contact a communications device associated with an ATM customer (Fig. 13, ele. 550, 542; Col.

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17, line 48 to Col. 18, line 15, particularly Col. 17, lines 48-50. See also Fig. 22 and Col. 22, lines 3-35, particularly lines 18-21 and 25-27);

c) means for establishing a link with the communications device based upon the obtained contact information to allow the ATM customer to enter an ATM transaction (Fig. 13, ele. 550; Col. 17, lines 57-60; Col. 18, lines 10-15); and

d) means for controlling the cash dispenser to dispense cash when the entered ATM transaction requires cash to be dispensed (Col. 1, lines 51-57).

As to claim 8, see the discussion of claims 6 and 3.

As to claim 9, see the discussion of claims 6 and 4.

As to claim 11, *Drummond* discloses the invention as claimed, including in a method of operating an Automated Teller Machine, ATM (Fig. 13, ele. 540), elements of:

a) a host (Fig. 13, ele. 540; Col. 17, lines 48-60);

a) a group of ATMs (Fig. 13, ele's. 540, 542, 544, 546, 548) each having a user interface (keyboards, displays) including transaction means (Col. 18, lines 10-15) and means for identifying a user (Col. 20, line 55 to Col. 21, line 7);

b) means for obtaining contact information which enables the ATM to contact a communications device associated with the user (Fig. 13, ele. 550, 542; Col. 17, line 48 to Col. 18, line 15, particularly Col. 17, lines 48-50. See also Fig. 22 and Col. 22, lines 3-35, particularly lines 18-21 and 25-27); and

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c) contact means for establishing a link with the communications device to allow a transaction to be executed using the communications device (Fig.13, ele. 550; Col. 17, lines 57-60; Col. 18, lines 10-15).

As to claim 12, it is the method form of Claim 1 and is rejected in a similar manner.

As to claim 14, see the discussion of claims 12 and 3.

As to claim 15, see the discussion of claims 12 and 4.

As to claim 16, it is a method variant of claim 1 and is rejected in a like manner.

As to claims 18 and 19, see the discussion of claims 16, and 3 and 4.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 5, 7, 10, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 7,542,944, *Drummond et al* in view of US Publication 2004/0124966, *Forrest*.

As to claim 2, *Drummond* discloses the invention substantially as claimed. See the discussion of claim 1 above. While *Drummond* discloses that the user's communications devices can be a telephone (Col. 17, line 54) used for a transaction

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(Col 18, lines 10-15), *Drummond* does not specifically disclose that the contact information is a telephone number of the telephone. *Forrest* discloses the retrieval of a telephone number of a telephone used in an ATM transaction at paragraph [0055]. It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the telephone number identifier disclosed by *Forrest* in the ATM /telephone system of *Drummond* because this would have provided specific and unambiguous identification of the telephone and thus improved transaction security.

As to claim 5, *Drummond* discloses the invention substantially as claimed, including in an Automated Teller Machine, ATM (Fig. 13, ele. 540), elements of:

a) a user interface including means for identifying a user (Col. 20, line 55 to Col. 21, line 7);

b) means for obtaining contact information which enables the ATM to contact a communications device associated with the user (Fig. 13, ele. 550, 542; Col. 17, line 48 to Col. 18, line 15, particularly Col. 17, lines 48-50. See also Fig. 22 and Col. 22, lines 3-35, particularly lines 18-21 and 25-27); and

c) contact means for establishing a link with the communications device to allow a transaction to be executed using the communications device (Fig.13, ele. 550; Col. 17, lines 57-60; Col. 18, lines 10-15).

While *Drummond* discloses that the user's communications devices can be a telephone (Col. 17, line 54) used for a transaction (Col 18, lines 10-15), *Drummond* does not specifically disclose that the contact information is a telephone number of the telephone. *Forrest* discloses the retrieval of a telephone number of a telephone used in

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an ATM transaction at paragraph [0055]. It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the telephone number identifier disclosed by *Forrest* in the ATM /telephone system of *Drummond* because this would have provided specific and unambiguous identification of the telephone and thus improved transaction security.

As to claim 7, *Drummond* discloses the invention substantially as claimed. See the discussion of claim 6. *Drummond* does not specifically disclose that retrieved contact information is a telephone number of the communications device to be called which allows a link to be established. *Forrest* discloses this limitation at paragraph [0055] and Fig. 3. It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the telephone number identifier disclosed by *Forrest* in the ATM /telephone system of *Drummond* because this would have provided specific and unambiguous identification of the telephone and thus improved transaction security.

As to claim 10, *Drummond* discloses the invention substantially as claimed including in an automated teller machine (ATM), elements of:

a cash dispenser for dispensing cash (Fig. 13, ele. 540);

means for obtaining contact information which enables the ATM to contact a communications device associated with the user (Fig. 13, ele. 550, 542; Col. 17, line 48 to Col. 18, line 15, particularly Col. 17, lines 48-50. See also Fig. 22 and Col. 22, lines 3-35, particularly lines 18-21 and 25-27);

means for establishing a link with the communications device based upon the obtained contact information to allow the ATM customer to enter an ATM transaction (Fig. 13, ele. 550; Col. 17, lines 48-53); and

means for controlling the cash dispenser to dispense cash when the entered ATM transaction requires cash to be dispensed (Col. 1, lines 51-57).

Drummond does not specifically disclose that the contact information is a telephone number used to establish a link for a transaction. *Forrest* discloses this limitation at paragraph [0055] and Fig. 3. It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the telephone number identifier disclosed by *Forrest* in the ATM /telephone system of *Drummond* because this would have provided specific and unambiguous identification of the telephone and thus improved transaction security.

As to claim 13, see the discussion of claims 12 and 2.

Claims 17 and 20, are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 7,542,944, *Drummond et al* in view of US Publication 2004/0124966, *Forrest* and further in view of US Patent 5,731,575 *Zingher et al*.

As to claim 17, *Drummond* discloses the invention substantially as claimed. See the discussion of claim 16 above. *Drummond* does not specifically disclose that an item of value is delivered to a second person at the ATM who is different from the customer. *Zingher* discloses a "duress transaction" in which an identified ATM

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customer is threatened by a felon in an effort to have money withdrawn from the ATM to be given to the felon. See Background and Summary of the Invention. As well, the concept of a non-duress transfer of money from the customer to a second person at the ATM would read on the claim language as presented. An example of this would be two persons, one an identified ATM customer, going to an ATM for withdrawal of cash which is then given to the second person, as a gift or payment of a debt. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Drummond* to include cash transfer between parties, as disclosed by *Zingher* because this would have allowed for immediate cash transfer between parties in "duress" (as well as non-duress) situations.

As to claim 20, *Zingher* discloses the delivery of a PIN by an identified person at Col. 1, lines 49-65.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Outwater

US PreGrant Application 2007/0174080 A1

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Siegfried Chencinski whose telephone number is 571-272-6792. The Examiner can normally be reached Monday through Friday, 9am to 6pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Charles Kyle, can be reached on 571-272-6746.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). The following is a LINK to PRIVATE PAIR - <https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks Washington D.C. 20231

or faxed to:

(571)273-8300 [Official communications; including After Final communications labeled "Box AF"]

or

(571) 273-6792 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the address found on the above USPTO web site in Alexandria, VA.

SEC

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March 21, 2011

/Charles R. Kyle/
Supervisory Patent Examiner, Art Unit 3695


Wynn Coggins
Director, Technology Center 3600

